

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ted Yednock et al.

Application No.: 10/544,093

Filed: March 03, 2006

For: ACTIVE IMMUNIZATION TO
GENERATE ANTIBODIES TO
SOLUBLE A-BETA

Customer No.: 00826

Confirmation No.: 6443

Examiner: Gregory S. Emch

Art Unit: 1649

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER
37 CFR §1.97 and §1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached PTO/SB/08B form are being called to the attention of the Examiner. In compliance with the requirements of 37 CFR §1.98(d), copies of the non patent document cite numbers 6-01 to 6-10 are enclosed.

To assist the Examiner in evaluating the potential relevance of office actions from the below cited applications, applicants have separated the various actions into the following PTO designated categories: 1) restriction requirement and/or election of species requirement; 2) first office action and interview summary; 3) non-final and non-first office action; 4) final office action and advisory action, 5) notice of allowance and 6) decision from The Board of Patent Appeals and Interferences. This is done solely for the Examiner's convenience to facilitate review and no inference should be made that the information in any category is relevant or material or that information in any one category is of greater or lesser relevance, to the above-identified application. Submitted herewith are papers from category 6.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant also cites the following copending applications and issued patents, which are directed to related subject matter and are commonly owned or under an assignment obligation to be commonly owned:

10/010,942 filed 12/06/01; issued as US 7,189,819 on 03/13/07;
10/232,030 filed 08/30/02; issued as US 7,582,733 on 09/01/09;
10/388,214 filed 03/12/03; issued as US 7,256,273 on 08/14/07;
10/388,389 filed 03/12/03; issued as US 7,179,892 on 02/20/07;
10/544,093 filed 08/01/05 (US National Stage of PCT/US04/02856 filed 01/31/04);
10/583,464 filed 01/16/07 (US National Stage of PCT/US04/042701 filed 12/17/04);
10/583,503 filed 06/16/06;
10/858,855 filed 06/01/04; issued as US 7,871,615 on 01/18/11;
11/244,678 filed 10/05/05; issued as US 7,807,804 on 10/05/10;
11/303,478 filed 12/15/05;
11/304,986 filed 12/15/05; issued as US 7,825,223 on 12/01/09;
11/342,353 filed 01/27/06; issued as US 7,635,473 on 12/22/09;
11/454,772 filed 06/16/06; issued as US 7,825,223 on 11/02/10;
11/455,203 filed 06/16/06; issued as US 7,820,799 on 10/26/10;
11/664,865 filed 01/15/09;
11/707,639 filed 02/16/07; issued as US 7,700,751 on 04/20/10;
11/841,919 filed 08/20/07;
11/841,993 filed 08/20/07;
11/893,123 filed 08/13/07;
12/037,045 filed 02/25/08;
12/181,238 filed 07/28/08; issued as US 8,003,097 on 8/23/11;
12/297,636 filed 05/10/10 (US National Stage of PCT/US2007/009499 filed 4/18/07 (contested));

12/608,869 filed 10/29/09;
12/637,508 filed 12/14/09;
12/738,396 filed 06/24/10 (US National Stage of PCT/US2008/080382 filed 10/17/08);
12/903,053 filed 10/12/10;
13/004,014 filed 01/10/11;
13/076,379 filed 03/20/11;
13/123,898 filed 04/13/11;
13/178,428 filed 07/07/11; and
61/450,619 filed 03/08/11.

Applicant also cites the following copending applications and issued patents directed to related subject matter but subject to different assignment:

09/201,430 filed 11/30/98; issued as US 6,787,523 on 09/07/04;
09/322,289 filed 05/28/99; issued as US 7,964,192 on 06/21/11;
09/580,018 filed 05/26/00; issued as US 6,761,888 on 07/13/04;
09/723,384 filed 11/27/00; issued as US 6,710,226 on 03/23/04;
09/723,762 filed 11/28/00; issued as US 6,787,144 on 09/07/04 ;
09/723,765 filed 11/28/00; issued as US 7,588,766 on 09/15/09;
09/723,927 filed 11/28/00; issued as US 6,787,138 on 09/07/04;
09/724,102 filed 11/28/00; issued as US 6,787,139 on 09/07/04;
09/724,288 filed 11/28/00; issued as US 7,575,880 on 08/18/09;
09/724,319 filed 11/27/00;
09/724,477 filed 11/28/00; issued as US 6,787,143 on 09/07/04;
09/724,489 filed 11/28/00; issued as US 6,787,140 on 09/07/04;
09/724,551 filed 11/28/00; issued as US 6,787,637 on 09/07/04;
09/724,552 filed 11/28/00; issued as US 6,750,324 on 06/15/04;
09/724,567 filed 11/28/00; issued as US 6,890,535 on 05/10/05;
09/724,570 filed 11/28/00; issued as US 6,936,246 on 08/30/05;
09/724,940 filed 11/28/00; issued as US 6,905,686 on 06/14/05;
09/724,953 filed 11/28/00; issued as US 6,875,434 on 04/05/05;

09/724,961 filed 11/28/00; issued as US 6,743,427 on 06/01/04;
09/979,952 filed 04/09/02 (US National Stage of PCT/US00/15239 filed 06/01/00);
issued as US 6,913,745 on 07/05/05;
10/429,216 filed 05/30/03;
10/699,517 filed 10/31/03; issued as US 7,727,957 on 06/01/10;
10/815,353 filed 03/31/04; issued as US 6,808,712 on 10/26/04;
10/815,391 filed 03/31/04; issued as US 6,866,849 on 03/15/05;
10/815,404 filed 03/31/04; issued as US 6,982,084 on 01/03/06;
10/816,022 filed 03/31/04; issued as US 6,866,850 on 03/15/05;
10/816,380 filed 03/31/04; issued as US 7,014,855 on 03/21/06;
10/816,529 filed 03/31/04; issued as US 6,818,218 on 11/16/04;
10/884,892 filed 07/01/04; issued as US 6,962,707 on 11/08/05;
10/923,469 filed 08/20/04;
10/923,471 filed 08/20/04;
10/933,559 filed 09/02/04; issued as US 6,972,127 on 12/06/05;
10/934,609 filed 09/02/04; issued as US 6,946,135 on 09/20/05;
11/245,916 filed 10/07/05;
11/520,438 filed 09/12/06; issued as US 7,790,856 on 09/07/10;
11/809,552 filed 06/01/07;
11/842,023 filed 08/20/07; issued as US 7,893,214 on 02/22/10;
11/842,042 filed 08/20/07;
11/842,113 filed 08/20/07;
11/842,116 filed 08/20/07;
12/729,902 filed 03/23/10; and
12/977,013 filed 12/22/10.

Applicant further cites the following commonly owned abandoned applications or
abandoned applications under an assignment obligation to be commonly owned which are directed
to related subject matter:

10/703,713 filed 11/07/03;
10/704,070 filed 11/07/03;

10/771,174 filed 02/04/04;
10/789,273 filed 02/27/04;
11/260,047 filed 10/26/05;
11/304,072 filed 12/15/05;
11/305,889 filed 12/15/05;
11/305,899 filed 12/15/05;
11/342,252 filed 01/27/06;
11/396,417 filed 03/30/06;
11/413,638 filed 04/28/06;
11/516,724 filed 09/05/06;
11/841,794 filed 08/20/07;
11/841,832 filed 08/20/07;
11/841,849 filed 08/20/07;
11/841,857 filed 08/20/07;
11/841,882 filed 08/20/07;
11/841,897 filed 08/20/07;
11/841,950 filed 08/20/07;
11/842,056 filed 08/20/07;
11/893,094 filed 08/13/07;
11/893,103 filed 08/13/07;
11/893,110 filed 08/13/07;
11/894,714 filed 08/20/07;
11/894,754 filed 08/20/07;
11/894,789 filed 08/20/07;
12/106,206 filed 04/18/08;
12/253,929 filed 10/17/08;
60/251,892 filed 12/06/00;
60/363,751 filed 03/12/02;
60/444,150 filed 02/01/03;
60/474,654 filed 05/30/03;

60/530,480 filed 12/17/03;
60/530,481 filed 12/17/03;
60/616,474 filed 10/05/04;
60/622,525 filed 10/26/04;
60/636,684 filed 12/15/04;
60/636,687 filed 12/15/04;
60/636,776 filed 12/15/04;
60/636,810 filed 12/15/04;
60/636,842 filed 12/15/04;
60/637,138 filed 12/16/04;
60/637,253 filed 12/16/04;
60/648,631 filed 01/28/05;
60/648,639 filed 01/28/05;
60/691,821 filed 06/17/05;
60/735,687 filed 11/10/05;
60/736,045 filed 11/10/05;
60/736,119 filed 11/10/05;
60/793,014 filed 04/18/06;
60/925,228 filed 10/17/07;
60/999,423 filed 10/17/07;
61/083,827 filed 07/25/08;
61/110,538 filed 10/31/08;
61/197,878 filed 10/30/08;
61/308,253 filed 02/25/10; and
61/327,062 filed 04/22/10.

Applicant also cites the following abandoned applications directed to related subject matter but subject to different assignment:

09/204,838 filed 12/03/98;
09/497,553 filed 02/03/00;

09/579,690 filed 05/26/00;
09/580,015 filed 05/26/00;
09/580,019 filed 05/26/00;
09/585,656 filed 06/01/00;
09/723,544 filed 11/28/00;
09/723,713 filed 11/27/00;
09/723,725 filed 11/27/00;
09/723,760 filed 11/27/00;
09/723,766 filed 11/27/00;
09/724,273 filed 11/28/00;
09/724,291 filed 11/28/00;
09/724,495 filed 11/27/00;
09/724,575 filed 11/28/00;
09/724,921 filed 11/28/00;
09/724,929 filed 11/28/00;
09/979,701 filed 03/13/01 (US National Stage of PCT/US00/14810 filed 05/26/00);
09/980,568 filed 03/12/02 (US National Stage of PCT/US00/15302 filed 06/01/00);
10/777,792 filed 02/11/04;
10/788,666 filed 02/27/04;
10/822,968 filed 04/12/04;
10/823,463 filed 04/12/04;
10/828,548 filed 04/19/04;
10/889,999 filed 04/12/04;
10/890,000 filed 07/12/04;
10/890,024 filed 04/12/04;
10/890,070 filed 07/12/04;
10/890,071 filed 07/12/04;
10/923,267 filed 08/20/04;
10/923,474 filed 08/20/04;
10/923,605 filed 08/20/04;

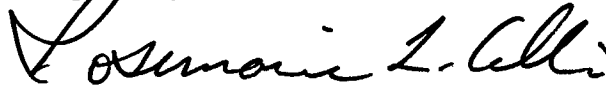
10/928,926 filed 08/27/04;
10/934,818 filed 09/02/04;
10/934,819 filed 09/02/04;
11/058,757 filed 02/14/05;
11/108,102 filed 04/15/05;
11/245,524 filed 10/07/05;
11/396,391 filed 03/30/06;
11/842,085 filed 08/20/07;
11/842,101 filed 08/20/07;
11/842,120 filed 08/20/07;
11/894,665 filed 08/20/07;
12/328,740 filed 12/04/08;
60/067,219 filed 12/03/97;
60/067,740 filed 12/02/97;
60/079,697 filed 03/27/98;
60/080,970 filed 04/07/98;
60/136,655 filed 05/28/99;
60/137,010 filed 06/01/99;
60/137,047 filed 06/01/99; and
60/810,245 filed 06/01/06.

Applicant understands the Examiner can access papers from the prosecution of the cited cases electronically via PALM. However, if the Examiner has difficulty obtaining papers from that source they are invited to call the undersigned who will be happy to supply them.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 16-0605. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Rosemarie L. Celli
Reg. No. 42,397

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel: Silicon Valley Office (650) 838-2000
Fax: Charlotte Office (704) 444-1111
RLC:bny